

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE**

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USW INDUSTRY 401(k) FUND, <i>et al.</i>	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 3:12-cv-01164
	)	Judge Todd J. Campbell
	)	Magistrate Judge Joe Brown
PARK INN HOMES FOR ADULTS, LLC,	)	
	)	
Defendant.	)	
	)	

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**ORDER AND FINAL JUDGMENT**

This Court considered the Motion for Final Judgment by Default filed by Plaintiffs USW Industry 401(k) Fund and its Trustees, Stan Johnson, Dale Olson, Gary Beevers, James Kidder, Martin Everhart, and Jon Geenen (collectively, “Plaintiffs”), and Memorandum in Support against Defendant Park Inn Homes for Adults, LLC (“Defendant”), any responses and replies, and concluded that the Motion should be GRANTED.

THEREFORE, IT IS ORDERED that a DEFAULT JUDGMENT is hereby ENTERED against Defendant payable to the Fund in the total amount of \$23,278.21, which is comprised of the following amounts:

- (1) The cost of the audit for the period of January 2005 through December 2009 in the amount of \$6,946.46;
- (2) Administration fees in the total amount of \$262.50 for 2012;

- (3) Interest accrued on unpaid and late paid administration fees and employer contributions in the minimum amount of \$118.04, accrued through June 30, 2013;
- (4) Liquidated damages in the amount of \$52.50 on the unpaid administration fees;
- (5) The Fund's attorneys' fees and costs in the amount of \$15,898.71 (through June 2013).

The Court FURTHER ORDERS Defendant to pay Plaintiffs' attorneys' fees and costs incurred in executing the judgment.

The Court FURTHER ORDERS Defendant to pay post-judgment interest on the above judgment amounts at the rate permitted by 29 U.S.C. § 1961 from the date of this Judgment to the date paid.

This ORDER is without prejudice to any further claim Plaintiffs may have against Defendant.

This ORDER AND FINAL JUDGMENT disposes of all claims and parties in the above-captioned lawsuit and is appealable. SO ORDERED.

Dated: \_\_\_\_\_

Todd Campbell  
PRESIDING JUDGE

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